

JUDGE CROTTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - x

UNITED STATES OF AMERICA :

- v. - :

ANDREW ROSSI, :

Defendant. :

- - - - - x

INDICTMENT

08 Cr.

08 CRIM 158

COUNT ONE

The Grand Jury charges:

1. From at least in or about 2006, through in or about March 21, 2007, in the Southern District of New York and elsewhere, ANDREW ROSSI, the defendant, unlawfully, intentionally, and knowingly did manage and control a place, to wit, a commercial storage unit located in Nanuet, New York, either as an owner, lessee, agent or occupant, and did knowingly and intentionally rent, lease, profit from, and make available for use, with or without compensation, the place for the purpose of unlawfully storing, distributing, and using a controlled substance, to wit, anabolic steroids.

(Title 21, United States Code, Section 856(a)(2).)

Forfeiture Allegation

2. As a result of committing the controlled substance offense alleged in Count One of this Indictment, ANDREW ROSSI, the defendant, shall forfeit to the United States, pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds ROSSI obtained directly or indirectly as a result of the said violation and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in Count One of this Indictment, including a sum of money representing the amount of proceeds obtained as a result of the offense alleged in Count One.

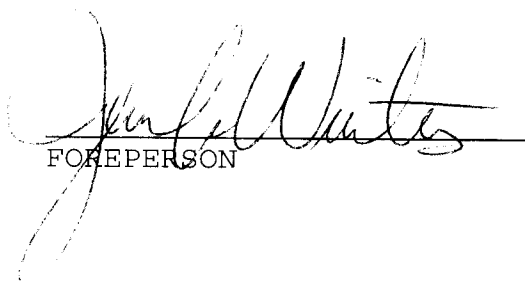
Substitute Asset Provision

3. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

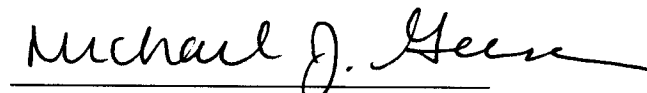
- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third person;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 856(a)(2) and 853.)



FOREPERSON



MICHAEL J. GARCIA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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INDICTMENT

08 Cr.

(Title 21, United States Code, Section
856(a)(2).)

MICHAEL J. GARCIA
United States Attorney.

A TRUE BILL


Foreperson.

2/26/08 Filed indictment. Case assigned
to Judge Crothly.
C/Mag. J. Lath